

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: M. Tanumihardja et al. Attorney Docket No.: IVEN129359  
Application No.: 09/894,278 Art Unit: 2155 / Confirmation No: 5239  
Filed: June 27, 2001 Examiner: L.-C. A. Wang  
Title: MANAGED MESSAGING PLATFORM

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED

UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)

Seattle, Washington 98101

September 12, 2007

TO THE COMMISSIONER FOR PATENTS:

The above-identified application became abandoned for failure to file a timely and proper reply to the Office Action mailed on May 26, 2005, which set a statutory period for reply that was initially set to expire three months from the mailing date of the Office Action. The abandonment date for this application was November 26, 2005.

Applicants hereby petition for revival of this application and submit the following items in support of this petition pursuant to 37 C.F.R. § 1.137(b):

1. Petition Fee - \$1,500 for a large entity under 37 C.F.R. § 1.17(m), which payment is included in the total to be charged to Deposit Account No. 03-1740;
2. Reply - A reply in the form of an Amendment for the above-identified application accompanies this petition;
3. Terminal Disclaimer - Since this application was filed after June 8, 1995, no terminal disclaimer is required;
4. Statement - The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 C.F.R. § 1.137(b) was unintentional. On February 2, 2006, applicants first became aware of the abandonment of the patent application.

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Applicants would like to show how the delay in discovering the abandoned status of the application occurred despite the exercise of due care or diligence on the part of the applicants: (1) applicants filed a Petition to Withdraw Holding of Abandonment Based on Failure to Receive Office Action on April 7, 2006, after an investigation of the physical file and intake personnel indicated that the Office Action sent May 26, 2005, was not received; (2) a Decision to Dismiss Petition was received on June 12, 2006; (3) applicants filed a Request for Consideration of Petition to Withdraw Holding of Abandonment Based on Failure to Receive Office Action on August 8, 2006; (4) a Decision to Again Dismiss the Petition was mailed on November 3, 2006, indicating that the Office Action was in fact received at the correspondence address of Seed Intellectual Property Group, applicants' prior counsel, but was lost or misplaced; (5) applicants transferred the file to new counsel on April 9, 2007; (6) it has taken time for new counsel to investigate the history of the abandonment and draft a reply to the Office Action.

Applicants and the undersigned attorney respectfully request that this Petition for Revival of Unintentionally Abandoned Application be granted.

Respectfully submitted,

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